

DETAILED ACTION

Status of Claims

This action is in response to an amendment filed by the applicants on November 30, 2010. There are seventeen claims pending and seventeen claims under consideration. This is the eighth action on the merits. Claims 12, 14, 16 and 18 have been cancelled.

Withdrawn Rejections/Objections

Applicant is notified that any outstanding rejection/objection that is not expressly maintained in this office action has been withdrawn or rendered moot in view of applicant's amendments and/or remarks.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Harry B. Shubin on February 1, 2011. The application has been amended as follows:

- a) In Claim 1, last line, delete the phrase, "...usable prodrug, salt thereof, or mixture thereof in all ratios." and replace it with "...acceptable salt thereof."
- b) In Claim 9, last line, delete the phrase, "...usable prodrug, or" and replace it with "acceptable".

- c) In Claim 10, line 1, delete the term "compounds" and replace it with "compound".
- d) In Claim 13, last line, move the term, "..., and a pharmaceutically acceptable carrier" from the end of the claim, and insert it after the term "formula I" in line 2.
- e) Delete Claims 20 and 21.

Conclusion

Claims 1-11, 13, 15, 17 and 19 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey H. Murray, whose telephone number is 571-272-9023. The examiner can normally be reached on Mon.-Thurs. 7:30-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. James O. Wilson can be reached at 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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